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ATTORNEY/DOCKET NO.: 3391/0e819DATE: July 25, 2003**TELECOPIER TRANSMISSION COVER SHEET**

NUMBER TRANSMITTING TO: 703-872-9314 and 703-746-8390

TO: UNITED STATES PATENT AND TRADEMARK OFFICE

EXAMINER: DANIEL SWERDLOW

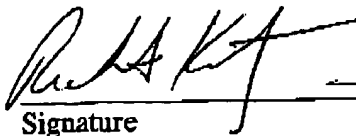
ART UNIT: 2644

FROM: RICHARD J. KATZ

PAPER(S) BEING TRANSMITTED: PHOTOCOPY OF POSTCARD WITH OIPE STAMP;  
and RULE 1.131 AFFIDAVIT WITH EXHIBITS 1 & 2

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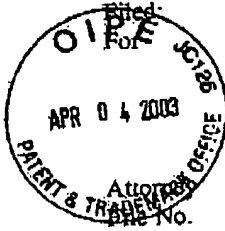
COMMENTS: Examiner Swerdlow: Enclosed is the complete Rule 1.131 affidavit  
including Exhibits 1 & 2.**CERTIFICATION OF FACSIMILE TRANSMISSION**Serial No.: 09/314,243Confirmation No.: 4908Filed: May 18, 1999I hereby certify that these paper are being facsimile transferred to the United States Patent and  
Trademark Office on the date shown below.

 July 25, 2003  
Signature Date

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Return of this card properly stamped, will acknowledge receipt of: an Amendment; a mark-up copy of the amendments; a Complete Set of Pending Claims; a Declaration Under 37 C.F.R. 1.131 with attached invoices (Exhibits 1 and 2); a Petition for Extension of Time; and a check no. 11620 for \$410.00



Applicant : Rami Verbin et al.

Serial No. : 09/314,243

Filed : May 18, 1999

For : METHOD AND APPARATUS FOR  
IMPROVING PERFORMANCE OF A  
SPLITTERLESS ASYMETRIC DIGITAL  
SUBSCRIBER LINE (ADSL)

Attorney : Richard J. Katz:sw  
File No. : 3391/OE819

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4/4/03

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D. J.

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PATENT TRADEMARK OFFICE

Docket No: 3391/0E819

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Rami Verbin et al.

Serial No. 09/314,243

Art Unit: 2644

Confirmation No.: 4908

Filed: May 18, 1999

Examiner: Daniel Swerdlow

For: METHOD AND APPARATUS FOR IMPROVING PERFORMANCE OF A  
SPLITTERLESS ASYMMETRIC DIGITAL SUBSCRIBER LINE (ADSL)

DECLARATION UNDER 37 C.F.R. § 1.131

Hon. Assistant Commissioner of  
Patents and Trademarks  
Washington, DC 20231

March 5, 2003

Sir:

Rami Verbin, Dudi Baran, Eli Shusterman, and Ilan Sharfer being duly sworn, say:

1. We are inventors of the subject matter described and claimed in the above referenced patent application.

(M:\3391\0e819\RJ0339.DOC \*3391/0E819\*)

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03/04 03 THU 14:26 FAX 972 3 6084812

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2. Prior to March 1, 1999, the effective date of the Balachandran et al. reference (U.S. Patent No. 6,324,268), and on or after January 1, 1996 we had completed our invention as described and claimed in the subject application in Israel, a WTO member nation since April 21, 1995.

3. As evidence that our work antedates Balachandran, we refer to Invoice No. 255146, attached hereto as Exhibit 1 and Invoice No. 261131, attached hereto as Exhibit 2. Dates, along with privileged information, appearing in these documents have been redacted. Exhibits 1 and 2 document the efforts of our attorneys, and their interaction with the undersigned inventors, from a time prior to the effective date of the Balachandran reference and ending with the constructive date of reduction to practice — i.e., the filing of the present application.

4. We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Rami Verbin

Dated

3/4/03

Dudi Baum

Dated

1/9/2003

(M:1229710e2191RJX0339.DOC "3691/02819")


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Eli Shusterman

03/04/03  
Dated

  
Ilan Sharfer

3/4/03  
Dated

(X:\2221104819\WJ\K0339.DOC "3321/02519")

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ATTORNEYS AT LAW

ORCKIT COMMUNICATIONS LTD.  
38 NAHALAT YITZHAK STREET  
TEL-AVIV, ISRAEL 67448

INVOICE # 255146

ATTN: MR. AVIV BOIM

CLIENT NUMBER 1098.

FOR PROFESSIONAL SERVICES RENDERED  
IN CONNECTION WITH THE FOLLOWING MATTERS  
THROUGH

METHOD AND APPARATUS FOR IMPROVING  
PERFORMANCE OF A SPLITTERLESS ASYMMETRIC  
DIGITAL SUBSCRIBER LINE (ADSL)  
U.S. PATENT APPLICATION

MATTER NUMBER 0E819.

RDS	1.00	Preparation of patent application
RDS	3.00	Preparation of patent application
RDS	3.20	Preparation of patent application
RDS	2.10	Preparation of patent application
RDS	3.80	Preparation of patent application
PRY	1.50	Work on patent application, forward to R. Verbin for review.
RDS	4.70	Preparation of patent application
PRY	.50	Review inventor comments, work on patent application.
PRY	.40	Work on patent application.
PRY	1.50	Telephone conference with inventor, work on patent application.
PRY	.20	Work on patent application, discuss with R. Snyder.
PRY	3.00	Work on patent application, discuss with R. Snyder.
RDS	2.30	Preparation of patent application; revision per inventors' comments
RDS	3.80	Preparation of patent application; revision per inventors' comments

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**EXHIBIT 1**

Received from &lt;2127536237&gt; at 7/25/03 12:31:24 PM [Eastern Daylight Time]

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METHOD AND APPARATUS FOR IMPROVING  
PERFORMANCE OF A SPLITTERLESS ASYMMETRIC  
DIGITAL SUBSCRIBER LINE (ADSL)  
U.S. PATENT APPLICATION

MATTER NUMBER 0E819.

RDS 3.80 Preparation of patent application; revision per  
inventors' comments  
RDS 4.40 Preparation of patent application; revision per  
inventors' comments  
RDS 3.20 Preparation of patent application; revision per  
inventors' comments

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COSTS ADVANCED

Copying charges

TOTAL COSTS ADVANCED

MATTER TOTAL

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ATTN: MR. AVIV BOIM

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IN CONNECTION WITH THE FOLLOWING MATTERS  
THROUGH

METHOD AND APPARATUS FOR IMPROVING  
PERFORMANCE OF A SPLITTERLESS ASYMMETRIC  
DIGITAL SUBSCRIBER LINE (ADSL)  
U.S. PATENT APPLICATION

MATTER NUMBER 0E819.

RDS	3.80	Preparation of U.S. patent application
PRY	.20	Discuss with R. Snyder.
RDS	4.40	Preparation of U.S. patent application (per inventor comments)
RDS	2.20	Preparation of patent application (per inventor comments)
RDS	7.20	Preparation and filing of U.S. patent application
RDS	.70	Advise client re: filing of U.S. patent application

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**EXHIBIT 2**